



GSA Federal Acquisition Training Symposium

May 10-11, 2016
Huntsville, AL

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How to Integrate Green into Acquisitions

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April 26, 2016

**This webinar is sponsored by the
GSA Federal Acquisition Service
in association with the Federal Acquisition Institute**





***Introduction and the Regulatory
Guidance on Green Procurement***

What Is “Green Purchasing”?

Green Purchasing (Sustainable Acquisition):

- Purchasing products with specific environmental or energy attributes
- Purchasing services under which those products will be supplied or used

It is possible to incorporate environmental considerations into any acquisition, regardless of size, scope, type or complexity.



The Importance of Buying Green



All Federal agencies have a unique opportunity to impact the energy and environmental footprint as they:

- ❑ Buy goods and services
- ❑ Own or lease buildings
- ❑ Use IT equipment, and
- ❑ Own or lease vehicles

The Benefits of Buying Green

- ❑ Ease of acquisition
- ❑ Savings of energy, water, etc.
- ❑ Cost savings over the product life
- ❑ Human health and environmental benefits
- ❑ Reduced disposal costs (through reuse, recycling or disposal)
- ❑ Reduced greenhouse gas emissions
- ❑ The ability to create markets
- ❑ Increased innovation



A Word on Best Value

Environmental considerations do not necessarily conflict with other priorities in terms of:

- ❑ Cost
- ❑ Quality
- ❑ Commercial Practices



Federal Laws Impacting Sustainable Acquisition

- ❑ Clean Air Act
- ❑ Energy Independence and Security Act of 2007
- ❑ Energy Policy Act of 1992 and 2005
- ❑ Farm Security and Rural Investment Act of 2002
- ❑ Food, Conservation, and Energy Act of 2008
- ❑ Agricultural Act of 2014
- ❑ Pollution Prevention Act of 1990
- ❑ Resource Conservation and Recovery Act of 1976

Executive Orders Impacting Sustainable Acquisition



- **E.O. 13693**, Planning for Federal Sustainability in the Next Decade -- issued on March 19, 2015
- **Revokes E.O. 13423** and **E.O. 13514**

Notable Sustainable Acquisition Changes in E.O. 13693

- Removes 95% goal and returns to statutory, 100% goal
- Replaces specific reference to EPEAT-registered products with “environmentally sustainable electronic products”
- Creates three groups of sustainable products:
 - **Statutory programs:** recycled content, energy efficient, and biobased content products
 - **EPA label programs:** SNAP, WaterSense, Safer Choice, and SmartWay Transport Partners (freight)
 - Environmentally preferable products meeting **third-party standards and labels**
- Requires agencies to establish annual targets for contracts with biobased requirements

FAR Guidance on Sustainable Acquisition

The Federal Acquisition Regulation (FAR):

- Consolidates requirements from Federal laws, executive orders and other regulations into a single source
- Addresses environmental issues in various parts, most notably in FAR Part 23

FAR Part 23

FAR Part 23 requires Federal agencies to ensure that 95% of new contract actions require products that are:

- ☐ Energy-efficient
- ☐ Biobased
- ☐ Non-ozone depleting
- ☐ Water-efficient
- ☐ Environmentally preferable
- ☐ Made with recovered materials



Other Applicable FAR Parts

Other FAR parts that address environmental issues and requirements:

Part 4, Administrative Matters	Part 12, Acquisition of Commercial Items
Part 7, Acquisition Planning	Part 36, Solicitation of Firms for Architect-Engineer Contracts
Part 8, Required Sources of Supplies and Services	Part 39, Acquisition of Information Technology
Part 10, Market Research	Part 42, Contract Administration Functions
Part 11, Describing Agency Needs	Part 52, Solicitation Provisions and Contract Clauses



***Environmental Programs for
Sustainability***

What Is an Environmental Program?



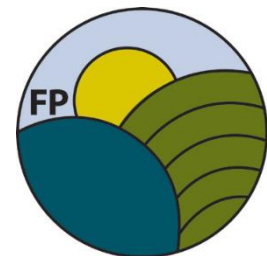
Environmental programs help buyers identify products and services with positive environmental attributes.

Many of these attributes are associated with specific environmental programs.

- ❑ Example: ENERGY STAR and FEMP help buyers identify energy-efficient products

Federally Managed or Required Environmental Programs

- ❑ ENERGY STAR
- ❑ FEMP-Designated Products
- ❑ WaterSense
- ❑ BioPreferred
- ❑ Comprehensive Procurement Guidelines (CPG)
- ❑ Significant New Alternatives Policy (SNAP)
- ❑ EPEAT
- ❑ Safer Choice
- ❑ SmartWay
- ❑ Environmentally Preferable Purchasing (EPP)



ENERGY STAR®

Certifies and promotes
energy-efficient
products



Reduces greenhouse gas
emissions

Federal agencies are
required to purchase
ENERGY STAR products



Products generally
represent the top 25% of
energy efficient products in
the market

FEMP-Designated Products

Sets energy efficiency requirements for product categories



FEMP-designated products are in the upper 25% of their class for energy-efficiency

FEMP

Also sets low standby power requirements



Helps Federal agencies meet energy-efficiency purchasing requirements

WaterSense®

Certifies water-efficient products and services



Saving water reduces energy costs

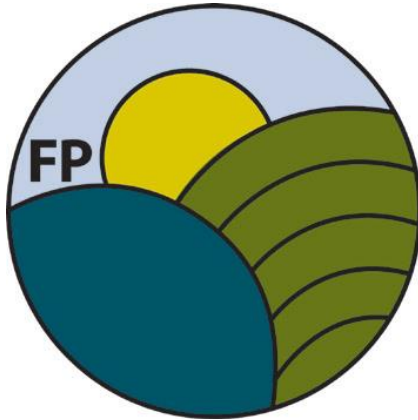
WaterSense® products are 20% more water efficient



Federal agencies are required to reduce water consumption by 26% between 2007-2020

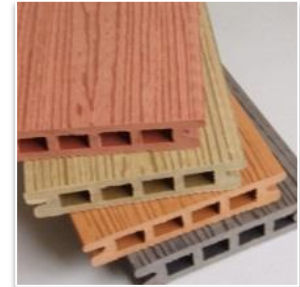
BioPreferred®

Promotes purchase of
biobased products



Designates categories of
products with biobased
content

Sets minimum biobased
content levels



Federal Procurement
Preference

Comprehensive Procurement Guidelines (CPG)

Products made with
recycled and
recovered materials



Designates products that
contain recovered (recycled)
materials

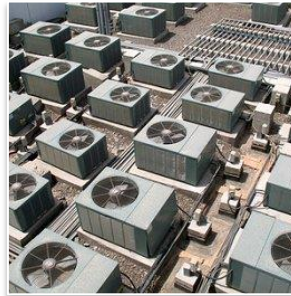
Recommends purchasing
practices and recycled
content for products



Federal agencies must
purchase products with the
highest content of recycled
material

Significant New Alternatives Policy (SNAP)

Regulates alternatives to ozone-depleting substances



Helps market move away from ozone-depleting substances (ODS)



Identifies acceptable and unacceptable ODS substitutes



Federal agencies must purchase alternatives to ozone depleting products

Safer Choice (formerly Design for the Environment)

Products with safer chemical ingredients



Product labeling program for household and institutional buyers

Protects human health and the environment



Inspected against stringent health and safety standards

SmartWay®

Improves fuel
efficiency
environmental
performance in the
transportation sector



SmartWay Transport
Partnership with freight
carriers and shippers

SmartWay Technology
Program for efficient
equipment, technologies, and
strategies



SmartWay Vehicles certifies
top 20% of low-emitting
passenger vehicles

EPEAT®

Life cycle rating
system for
electronic products



Products are rated on a
combination of required and
optional criteria

Products earn gold, silver, or
bronze rating based on how
many optional criteria they
meet



Federal agencies are
required to purchase EPEAT
products

Environmentally Preferable Purchasing (EPP)

Environmentally Preferable Purchasing (EPP) offers guidance on environmental issues to consider when buying products and services.

Examples of environmentally preferable products include:

- ❑ Products containing non- or less-toxic alternatives
- ❑ Environmentally preferable electronics products (EPEAT-registered)
- ❑ Low volatile organic compound (VOC) paints

Use of Non-Federal Standards and Labels

- Over 400 green labels, standards, and claims
- Includes both “verified” and “self-claimed”
- May be single- or multi-attribute
- EPA’s “Draft Guidelines for Product Environmental Performance Standards and Ecolabels for Voluntary Use in Federal Procurement”
 - Designed to help federal buyers identify and buy environmentally preferable products beyond those covered by federal ecolabels
 - Learn more: <http://www.epa.gov/greenerproducts>

Use of Non-Federal Standards and Labels

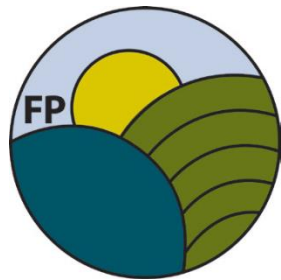
- In September 2015, EPA issued interim recommendations of specifications, standards, and ecolabels Federal agencies can use to purchase sustainable products:
 - Cafeteria
 - Construction
 - Custodial
 - Electronics
 - Grounds/Landscaping
 - Office
 - Operations/Fleet/Shipping/Shop

www.epa.gov/greenerproducts



Practical Exercise

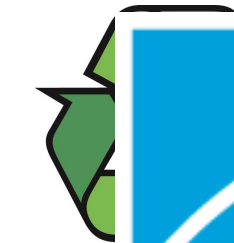
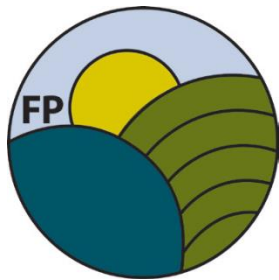
Environmental Program Review!



➤ Which Environmental Program(s) has a requirement for this product?



Environmental Program Review!



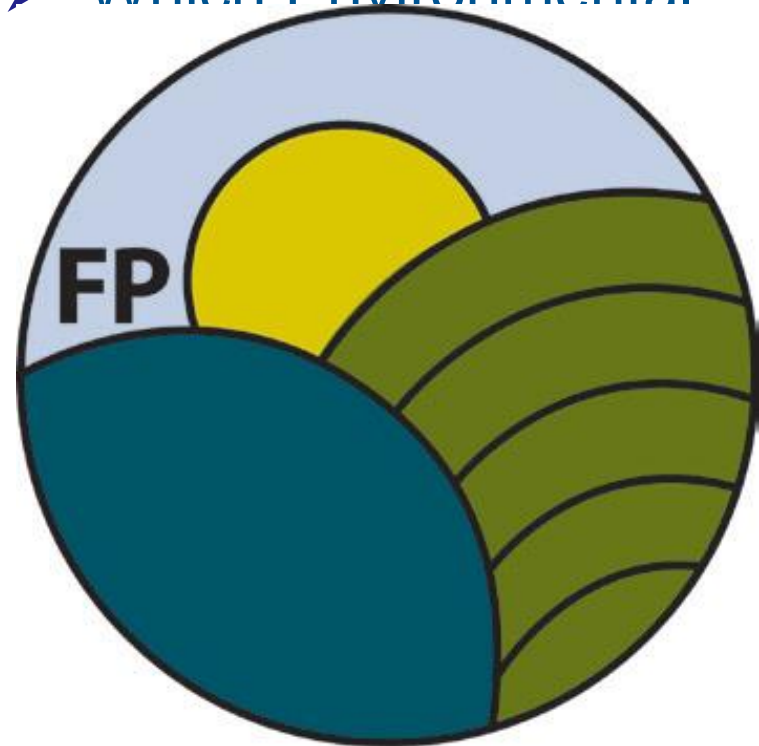
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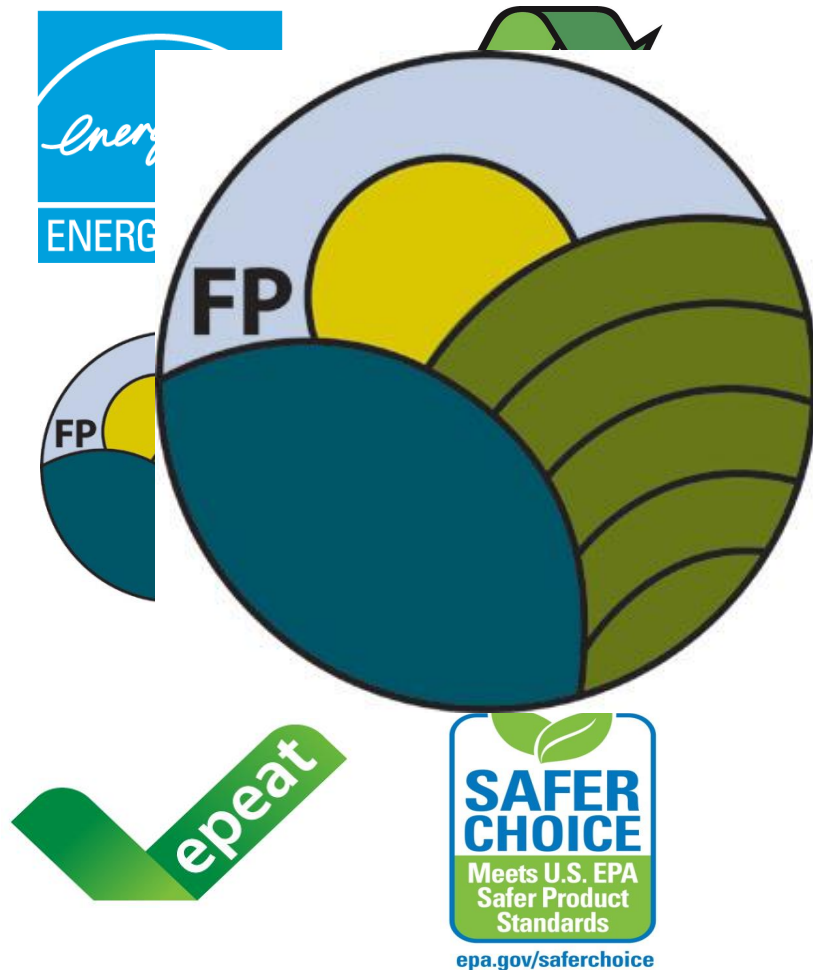
Environmental Program Review!



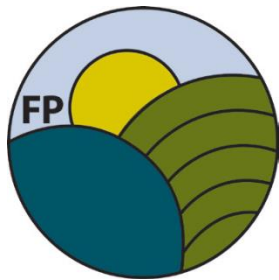
➤ Which Environmental



Environmental Program Review!



Environmental Program Review!



Environmental
has a
for this



Environmental Program Review!



➤ Which Environmental



epa.gov/saferchoice



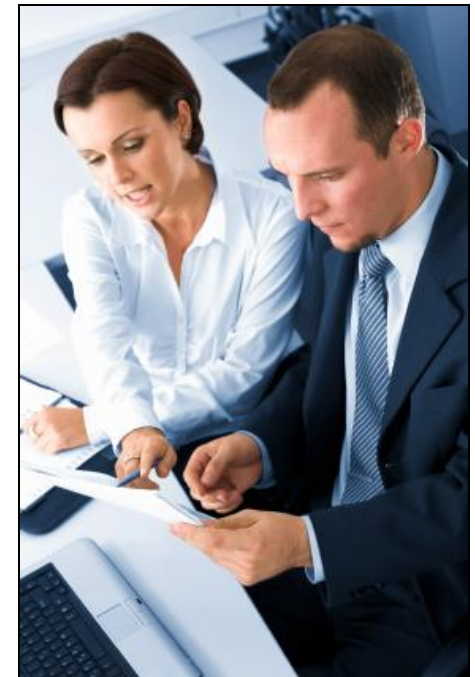


Greening the Acquisition Life Cycle

Greening the Acquisition Life Cycle

Opportunities to integrate environmental considerations across the acquisition life cycle:

- ❑ Market Research
- ❑ Acquisition Planning
- ❑ Synopsis and Solicitation Development
- ❑ Proposal Evaluation
- ❑ Contract Award
- ❑ Contract Administration and Closeout



Greening Market Research

Visit GSA's Green Procurement Compilation to determine whether a green purchasing requirement applies to your procurement, plus:

- ❑ Applicable FAR subparts
- ❑ Potential purchasing options
- ❑ Solicitation examples & sample language



[sftool.gov/greenprocurement](https://www.sftool.gov/greenprocurement)

Do any non-mandatory ecolabels or standards apply?

What sustainable practices are common in the commercial marketplace?

What are the environmental impacts over the product life cycle?

Will a non-green product cost you more over its lifetime?

Acquisition Planning Considerations

Acquisition planning considerations:

- ❑ Should the solicitation/contract require the use or supply of green products?
- ❑ Should the evaluation process favor offerors that use or supply green products?
- ❑ Should the solicitation require or favor offerors that employ other green practices?
- ❑ How will the evaluation process account for potential life cycle cost savings of green products?
- ❑ What is the relative importance of environmental issues compared to other objectives of the acquisition?

Synopsis and Solicitation Development

- The synopsis must include any sustainable acquisition requirements. (FAR Part 5).
- When describing Government requirements and developing source selection factors, require the use of green products and services to the maximum extent practicable. (FAR Part 11).
- Examine all parts of the solicitation for opportunities to incorporate environmental considerations.

Proposal Evaluation



- Consider any environmental aspects included in the solicitation.
- Confirm that offers meet minimum environmental requirements/criteria.
- Consider the relative weight of environmental considerations compared to other factors. This must be consistent with what was stated in the solicitation.

Contract Award

- For contracts, incorporate any sustainable acquisition requirements into the contract itself.
- For Schedules orders, green clauses may be included in the Schedule contract. Include green provisions elsewhere in the order.
- In FPDS, indicate if the contract action is:
 - Recycled content
 - Energy-efficient
 - Biobased
 - Environmentally preferable



Contract Administration and Closeout

Contract Administration

- Ensure that the contractor delivers the green products or services as specified in the contract.
- Use judgment in determining the appropriate level of monitoring

Contract Closeout

- Address compliance with green requirements in contractor evaluation.



Greening Your Solicitation and Contract

- Instructions to Offerors
- Provisions and Clauses
- Performance Requirements/
Product Specifications
- Packaging and Delivery
- Evaluation Factors



Instructions to Offerors (ITOs)

- Specify how offerors should demonstrate compliance with green product requirements:
 - Self-claimed
 - Verified/Substantiated
- Provide clear instructions on furnishing information on environmental aspects beyond the attributes of products used or supplied, e.g., take-back programs or minimizing travel.
- Require electronic submission of offers, whenever possible.

Provisions and Clauses

- Solicitations and contracts must include the appropriate green provisions and clauses.
- Most environmental clauses are prescribed in FAR Part 23.
- Recycled paper requirement is found in FAR Part 4.
- Provisions and clauses can be incorporated by reference or included directly.
- There may be agency-specific provisions and clauses.

Performance Requirements/Product Specifications

Services that lend themselves to green product requirements include:

Building Construction, Operation,
Renovation and Maintenance

Cafeteria and Food Services

Electronic Equipment Leasing
Services

Fleet Maintenance Services

Laundry Services

Meeting and Conference
Services

Landscaping Services

Pest Management Services
Janitorial Services

Performance Requirements/Product Specifications

Examples of other green requirements may include:

- Green product or GHG emissions reporting
- Elimination of travel
- Take-back programs (for electronics, appliances, packaging, printer cartridges, etc.)
- Waste recycling or minimization programs
- Climate change risk



Packaging

You may require or favor any packaging characteristics that may minimize environmental impacts. Examples:



- ❑ Packaging that includes recycled content
- ❑ Packaging that is reusable or recyclable
- ❑ Packaging that contains zero or reduced toxic materials
- ❑ Packaging that uses biodegradable materials.

Delivery

Delivery considerations:

- Limit on shipments, including limits on use of over-night delivery
- Delivery alternatives, like alternative fuel vehicles, SmartWay Transport partners, or non-ground transportation
- Electronic deliverables
- For paper documents: double-sided and black and white printing; limit number of pages or copies



Evaluation

Evaluation Factors

- ❑ Environmental considerations can be stand-alone factors, weighted in relation to other factors, or
- ❑ Environmental considerations can be incorporated into the evaluation of other factors (e.g., Past Performance)

Evaluation Criteria

- ❑ Clearly define the environmental criteria against which offers will be evaluated
- ❑ Must support a meaningful comparison and discrimination among competing offers



***The Green Procurement
Compilation (GPC) Website***

The Green Procurement Compilation Website

A Tour





Practical Scenario

Scenario - Janitorial Services PR

Scenario: You are a warranted CO at your agency. You are highly respected and have impeccable hygiene. You have received a purchase request package for janitorial services to several of your agency's buildings. The IGCE is \$200,000 per year. The requested period of performance is a 1-year base period with four 1-year options.

You just took a green purchasing course from GSA and can't help but notice that the SOW, market research and acquisition plan does not address any green purchasing requirements.

Scenario – Market Research

Your program office agrees that complying with the FAR makes a lot of sense. You proceed to green the acquisition by conducting market research:

- ☐ Do green purchasing requirement(s) apply to products used in performance of the service?
- ☐ If so, what are the products? The green requirements?
- ☐ Are there any other sustainable practices that should be required, considered or addressed?

Scenario – Acquisition Planning

Your market research shows that 33 of 34 green products meet your performance requirements; are available; and are cost effective.

- ❑ Do you require these green products?

Research shows that biobased graffiti removers are 300% more expensive than standard removers. This would increase your overall price by \$10K.

- ❑ What do you do?

Scenario – Evaluation

You prefer to require the 33 green products be used in performance of the janitorial service. Your Contract Specialist is young and smart, but arrogant, and thinks you should make ‘sustainability’ an evaluation factor.

- ❑ Which approach do you prefer? Why?
- ❑ If you require the green products, do you include it in the SOW or just incorporate the contract clauses?
- ❑ If you use an evaluation factor, what evaluation criteria would you use?

Additional Web Resources

- MAS Training Student Guides www.gsa.gov/mastrainingstudentguides
- MAS Desk Reference www.gsa.gov/masdeskreference
- Multiple Award Schedules www.gsa.gov/schedules
- eLibrary www.gsaelibrary.gsa.gov
- GSA *Advantage!* www.gsaadvantage.gov
- eBuy www.ebuy.gsa.gov
- MAS News www.gsa.gov/masnews
- Federal Acquisition Regulation (FAR) www.acquisition.gov/far



Webinars and Online Training

- Monthly Webinars sponsored by the MAS Program Office
<http://www.gsa.gov/masnews>
- Training Videos at
<http://www.gsa.gov/portal/content/210517>
- Continuous Learning Modules
 - Federal Acquisition Institute
 - Defense Acquisition University
 - <http://icatalog.dau.mil/> Search for continuous learning modules with FAC prefix



